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5 **UNITED STATES DISTRICT COURT**
6 **DISTRICT OF NEVADA**

7 MELVIN M. HUDSPATH,

Case No. 3:20-cv-00638-LRH-CLB

8 Petitioner,

9 v.

ORDER

10 KYLE OLSON, *et al.*,

11 Respondents.

12 Upon review of the record filed for this habeas matter, the Court notes the parties omitted
13 the sealed portion of the hearing transcript for the state district court's proceedings on July 1, 2015.
14 See ECF Nos. 29-18 at 3; 29-20 at 4; Rules Governing Section 2254 Cases, Rule 7; *Nasby v.*
15 *McDaniel*, 853 F.3d 1049, 1052–54 (9th Cir. 2017) (remanding to the district court with
16 instructions to consider the entire state court record).

17 **IT IS THEREFORE ORDERED:**

- 18 1. Within 30 days of the entry of this Order, the respondents must file with the Court
19 either a supplemental "Exhibit 73," consisting of the sealed portion of the July 1,
20 2015, hearing transcript in petitioner's underlying state-court matter, or a notice
21 indicating the sealed portion of the transcript is unavailable.
- 22 2. The petitioner will have 10 days after the respondents file a response to this order
23 to admit or deny the correctness of the respondents' filing.

24 **IT IS SO ORDERED.**

25 DATED this 19th day of September, 2023.

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28 LARRY R. HICKS
UNITED STATES DISTRICT JUDGE